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 and POLICE CHIEF RICHARD WORD

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SRI LOUISE COLES, et al.)	File No. C -03-2961 TEH (JL)
)	
Plaintiffs)	File No. C -03-2962 TEH (JL)
)	
vs.)	PROPOSED ORDER AND
)	STIPULATION RE: PRETRIAL
CITY OF OAKLAND, a municipal entity, et al.)	PREPARATION DATES
)	
<u>Defendants</u>)	
)	
LOCAL 10, INTERNATIONAL LONGSHORE)	
AND WAREHOUSE UNION, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
CITY OF OAKLAND; et al.,)	
)	
Defendants.)	
)	
)	

TO ALL PARTIES AND THEIR ATTORNEY OF RECORD:

The parties, acting by and through their respective legal counsel, hereby stipulate to the following changes to paragraph 3 of the Order For Pretrial Preparation issued by the Honorable Thelton Henderson on October 25, 2004 (the Order). Paragraph 3 of the Order dealing with discovery is revised as follows:

3. DISCOVERY

(a) Discovery Cutoff: All written discovery, shall be **completed** on or before **October 14, 2005** (previously October 3, 2005). Any discovery disputes shall be brought to the Court's attention within a reasonable time after the parties have met and conferred to attempt to resolve such disputes without Court intervention. All depositions, except for depositions of expert witnesses, shall be **noticed on or before October 14, 2005**, and **completed by December 23, 2005**. All depositions of expert witnesses shall be taken on or before **December 23, 2005**. (Previously December 27, 2005 - 21 calendar days before the scheduled trial date).

(b) Disclosures Regarding Expert Witnesses: Plaintiffs shall comply with Federal Rule of Civil Procedure 26(a)(2)(A) (ie., disclose the identity of any person who may be used at trial to present expert testimony) no later than **October 21, 2005**. (Previously November 10, 2005 – 60 days before pretrial conference). Defendants shall comply with Federal Rule of Civil Procedure 26(a)(2)(A) (ie., disclose the identity of any person who may be used at trial to present expert testimony) no later than **October 28, 2005**. (Previously November 25, 2005 – 45 days before pretrial conference). Failure to comply with these deadlines will prevent a witness from testifying as an expert. The parties shall comply with all of the disclosures required by FRCP 26(a)(2)(B) (regarding expert reports, qualifications, compensation, etc.) no later than **November 14, 2005**. (Previously December 30, 2005 - 10 calendar days before the pretrial conference). The parties shall comply with all of the disclosures required by FRCP 26(a)(2)(C) (regarding rebuttal expert reports, qualifications, compensation, etc.) no later than **December 12, 2005**.

(c) Dispositive Motions: The dispositive motion hearing deadline will be December 5, 2005 (the last day to file such motions is October 31, 2005).

2. In all other respects, the Order will remain in force.

So Stipulated:

Dated: October 14, 2005

HADDAD & SHERWIN

By:/s/_____
Michael J. Haddad
Julia Sherwin
Attorneys for Plaintiffs
SRI LOUISE COLES, et al.

Dated: October 14, 2005

LAW OFFICES OF JAMES B. CHANIN

By:/s/_____
James B. Chanin
Attorney for
LOCAL 10 PLAINTIFFS, et al.

Dated: October 14, 2005

LAW OFFICES OF JOHN L. BURRIS

By:/s/_____
John L. Burris
Attorney for
LOCAL 10 PLAINTIFFS, et al.

Dated: October 14, 2005

BERTRAND, FOX, & ELLIOT

By:/s/_____
Gregory M. Fox
Attorneys for Defendants
CITY OF OAKLAND, et al.

*I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this e-filed document. Dated: October 14, 2005.*

/s/_____
MICHAEL J. HADDAD

ORDER

Good cause appearing, the stipulation is so ordered.

All other provisions of this Court's Order for Pretrial Preparation dated October 25, 2004 shall remain in effect.

SO ORDERED.

Dated: 10/18/05



The Honorable Thelton E. Henderson
U.S. District Court Judge